

AFFIDAVITS

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CHRISTOPHER B. EILAND, DVM, MS,

CASE NO. 2005-459

Plaintiff,

V.

DR. BYRON L. BLAGBURN, et al.

AFFIDAVIT OF CHRISTOPHER EILAND

STATE OF ALABAMA

AT LARGE

Before me, the undersigned notary public, appeared CHRISTOPHER EILAND,
who being by me first duly sworn, deposes and states as follows:

1. My name is Christopher Eiland, and I am over the age of nineteen years. I am a resident of the State of Alabama.
2. I have personal knowledge of the facts contained in this Affidavit.
3. If called as a witness, I could and would testify confidently to the matters set forth below.
4. I am currently a licensed, practicing veterinarian in the State of Alabama.
5. I attended Auburn University from the fall of 1993 to December of 2003. During that time I earned three degrees: Bachelor of Science in Animal and Dairy Science, Master of Science at the AUCVM in Biomedical Science, and a Doctor of Veterinary Medicine. I was enrolled in a Ph.D.

program, when I was dismissed. I was a professional student in the veterinary school of medicine at Auburn University from 1999 to 2002.

6. During the time that I was in the veterinary school of medicine program at Auburn University, I was elected President of my class. I was then re-elected each year thereafter until graduating with a DVM, a total of four (4) years. I graduated with a DVM from AUCVM at Auburn University May 10, 2003. Dr. Blagburn sent me a card congratulating me on completing my professional degree and stating that he looked forward to my continued studies in the laboratories.
7. I began collecting data for Pfizer Feline Health Study in June of 2001. This continued to June of 2003. Dr. Blagburn and Dr. Ray Dillon had received funding from Pfizer and needed me to collect data. I was very happy to participate in the study. It allowed me to do research in obtaining my Master's Degree and the excess information was to be used in obtaining my Ph.D.
8. I graduated with an M.S. from AUCVM on August 4, 2003. During the exit interview for my Master thesis with Dr. Byron Blagburn, my major professor, and the other members of my advisory committee, Dr. Blagburn informed the committee that I was going to remain at Auburn University and continue my research in the field of feline heartworm disease, and that I would be using the excess information collected during my Master's program. All members agreed at that time to continue as my advisory

committee during my Ph.D. program. Dr. Blagburn was to continue as my major professor.

9. I started my Ph.D. program at AUCVM in Biomedical Science in the fall of 2003. That semester I was responsible for moderating a sophomore veterinary problem solving group at the request of my department head, Dr. Lauren Wolfe. I was enrolled in two courses: Advanced Endocrinology at the CVM and Experimental Statistics at Auburn University – main campus. I also had six hours of Thesis and Dissertation, giving me a total of fifteen (15) semester hours. I worked with Dr. Blagburn as a back-up project veterinarian on an ELANCO (pharmaceutical company) study and distributed heartworm preventatives to the pets of the veterinary students.
10. During the fall semester, I encountered difficulties in my statistics course. I had not had the prerequisite course. I made arrangements with the professor, Dr. Nedret Billor, to audit the same course the following semester. I would receive an Incomplete for fall semester. After auditing the class and re-taking the test, my grade would then change from an incomplete to whatever grade I would receive based upon test scores. There would be no need to register for this course for spring semester, because I was simply making up the Incomplete grade given fall semester.
11. During the fall of 2003 I began experiencing problems with Jamie Butler, lab supervisor, and a few of her friends in the lab. They began making petty complaints about me to Dr. Blagburn. I believe that this was

motivated by the fact that Jamie Butler did not like me and since I had graduated with a DVM and was enrolled in a Ph.D. program, she felt threatened. Dr. Blagburn and I had talked about the possibility of my teaching at Auburn University when I completed my Ph.D. program. I then could have potentially become one of Jamie Butler's supervisors.

12. I never had problems in the past with employees at the university, students, or faculty members. I had a great relationship with Dr. Blagburn. My classmates had elected me President of the Class for four consecutive years.
13. Dr. Blagburn only discussed the issue of complaints from a few non-faculty member employees one time. His advice was to "stay away from those women". Dr. Blagburn said they gossip and that he did not believe them. He assured me that these petty complaints would not affect our relationship.
14. On December 3, 2003, Dr. Blagburn called me to his office for a conference. Dr. Charles Hendrix, professor in the Department of Pathobiology, was present. I thought we were going to discuss my Plan of Study related to my Ph.D. program. Instead, Dr. Blagburn informed me that I was being dismissed from the Department of Pathobiology. He further stated this was not his decision, but that Dr. Wolfe had told him to get rid of me. When I asked why, he stated that Dr. Wolfe had been informed by Dr. Joseph Janicki, Associate Dean of Research and Graduate

Studies at the CVM, that I had propositioned a female graduate student to take a statistics test for me.

15. During this December 3, 2003, meeting, I tried to explain to Dr. Blagburn and Dr. Hendrix that I had never asked anyone to take a test for me, that I would never do that, and that I had already made arrangements with my statistics professor. First of all my character of honesty would never allow me to proposition anyone to take a test for me. Second, I had no need to do that, since I had made arrangements with Dr. Billor. I told both of them that this was not fair. They were not giving me a chance to defend myself. Dr. Hendrix is the faculty member chair of the student academic grievance committee. I asked for a hearing. I asked for a chance to clear my name on this issue. They were accusing me of cheating. Dr. Blagburn called me a "cheater". Neither of them would listen to me. The decision was made and that was that. Dr. Blagburn said when it comes from the top, you don't question it.
16. I left the December 3, 2003, meeting with Dr. Blagburn and Dr. Hendrix to talk with Dr. Janicki. He told me there was no formal complaint of cheating, but he had heard I was being dismissed from the Department of Pathobiology. I told him I had not cheated and wanted a hearing to clear my name. I was President of my class for four years. I had earned the respect of faculty members and professional students. He gave no reason for my dismissal from the Department of Pathobiology, but he was clear that I was dismissed.

17. I went to Dr. Ray Dillon's office that same day (December 3, 2003). Dr. Dillon said that he had heard about the cheating incident. Dr. Dillon was the only professor outside of the Department of Pathobiology who served on my Advisory Committee. I thought he could help me. I was wrong. Dr. Dillon said that there was nothing he could do to help me.
18. I talked again with Dr. Hendrix to relay what I had been told by Dr. Wolfe and Dr. Janicki. Dr. Hendrix recommended that I contact the Provost's office for help. Dr. Hendrix said that what "they" were doing was not right. Linda Spencer, the secretary for the Provost, said that there was nothing that office could do to help me.
19. Later that night I removed my things from my office and left my keys at the school. My identification badge was not able to unlock the doors to the CVM anymore.
20. Dr. Blagburn promised good letters of recommendation and to continue paying my stipend to the end of January, if I would just leave. I did not want to leave, but did not have any alternative. I did get very glowing letters of recommendation from Drs. Blagburn, Wolfe, and Janicki. I received my last payment for January on February 4, 2004, for \$1, 958.34.
21. On March 4, 2004 I received a telephone call from Dr. Blagburn to come see him. When I arrived at Dr. Blagburn's he asked me to find the data I had collected for the Pfizer feline health study. He was writing an article for June 2004 issue of Feline Medicine ---- DVM Best Practices, and wanted to use the information.

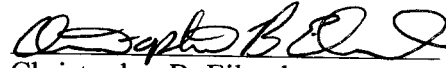
22. My dismissal and the allegations made against me were very upsetting for me. I had spent from 1993 to December 2003 at Auburn University. I could not stop thinking about it. I wanted to clear my name and reputation, but was never given an opportunity. I had to take medication to help me sleep. I lost forty (40) pounds. I was depressed and avoided being around my old classmates, because I was embarrassed. I was anxious and stressed. I have suffered considerable emotional distress and continue to suffer.
23. Elizabeth Landreth, my wife's (girlfriend at that time) aunt who works in the Department of Pathobiology, called me at home one night my dismissal and told me she had heard that I was suffering from bipolarism and that this fact had been reported to the Alabama Wellness Committee. She said someone from the Wellness Committee would be contacting me. She also heard that I was being dismissed from the Department of Pathobiology. I was contacted by Dr. Skipper from the Wellness Committee. He informed me that my name was submitted to him because I was bipolar, suffered from obsessive compulsive disorder, and was on drugs. I told him that was not true and that I did not need his help.
24. I was informed by Peter Christopherson, another veterinary student, to be careful because the girls in the lab "wanted to get rid of you".
25. I am currently a licensed veterinarian for the state of Alabama.

26. With regards to the incident with Brandy Brunson's notes, I was told, by Brandy, that I could have a copy of her notes for the classes I had missed.

27. I declare under penalty of perjury pursuant to the laws of the State of Alabama the foregoing is true and correct to the best of my knowledge.

FURTHER, THE AFFIANT SAITH NOT.

Dated this the 26 day of August 2006.


Christopher B. Eiland

STATE OF ALABAMA

AT LARGE

On this the 26th day of August, 2006, before me, the undersigned Notary Public, in and for said State and County, personally appeared Christopher B. Eiland, who is known to me, and states that the foregoing information is true and correct to the best of his information, belief and knowledge, and that he executed same voluntarily on the day the same bears date.


NOTARY PUBLIC

My Commission Expires 2-27-08